CALIFORNIA MASSAGE THERAPY COUNCIL

CAMTC Board of Directors Meeting
June 2, 2010
Holiday Inn Orange County Airport – Santa Ana
2726 S. Grand Ave.
Santa Ana, CA 92705

MINUTES
(open session portion of meeting)

1. Called to order at 10:02am

In Attendance:

Directors: William Armour, Bob Benson, Judi Calvert, Mark Dixon, Ben Drillings, Keith Grant, Michael Marylander, Beverly May, Richard McElroy, Trisha San Juan, Michael Schroeder, Joe Bob Smith, Dixie Wall

Directors Absent: Roberta Rolnick, Paul Schwinghamer

Staff: Ahmos Netanel, CEO; Jill Epstein, COO; Connie Payne, AMG; Paul Simmons, AMG

General Counsel: Jill England

Guests: Terance McHale, Aaron, Read and Associates (via conference call)

2. Chairperson's Opening Remarks
Chair Beverly May reminded the Board of the standing rule to limit discussion to 2-minute pro/con. A motion to suspend the standing rule may be put forth at any time to allow for longer discussion on key issues.

3. Approval of Minutes
Motion: Schroeder/Dixon: Approve the minutes from the April 6, 2010 Board meeting, as amended in draft 3.

Motion APPROVED 12-0, with Ben Drillings abstaining.

4. CEO Report
CEO Ahmos Netanel noted that he will provide his updates throughout the meeting as they pertain to various agenda items. The Board suggested that, in the future, Mr. Netanel also submit a written report with as much information as would be appropriate for open session.

5. Legislative Issues
Mr. Netanel and Terance McHale, lobbyist with Aaron, Read and Associates, provided a detailed update on the history and current status of AB1822. The bill has passed the Assembly and is now headed for the Senate. While the bill has been amended significantly since it was first introduced, it is still not respectful to the massage therapy profession. The author of the bill has invited CAMTC to submit recommended language and Mr. Netanel and Mr. McHale concurred that is an opportunity to correct the flaws and to clarify parts of SB731. The Board was asked to provide Mr. Netanel and Mr. McHale with direction on how to proceed.

Motion: May/Schroeder: CAMTC should continue to oppose bill as it is currently written while negotiating for more favorable language. Mr. Schroeder commented that there is actually no need to present or vote on this motion since the current CAMTC position is to oppose AB1822 unless/until amendments are made that are amenable to the profession. At that point, the Board would vote on a motion whether to change policy.

Motion withdrawn by May.

Substitute Motion: Schroeder/McElroy: Beverly May, Ahmos Netanel and Jill England are authorized to work on language to present to Assemblyman Swanson. These CAMTC representatives will bring Assemblyman Swanson's feedback to the Board for a vote on further action.

Motion APPROVED 13-0.

Mr. Netanel requested broad Board input towards crafting the "wish list" of items to be presented to Assemblyman Swanson.

AMTA was recognized and thanked for their generous financial and grassroots support on AB1822.

6. Closed session with CAMTC's legal counsel pursuant to Government Code Section 11126(e)
Chairperson May called the meeting into closed session at 11:28am. Open session resumed at 12:30pm

7. Revision of Application
Motion: May/McElroy: Amend CAMTC Application for Certification, per changes outlined in Ms. May's written report.

After much discussion on all the recommended changes to the application, Ms. May withdrew her original motion.

Substitute Motion: May/McElroy Approve the recommendations in Ms. May's written report with the following exceptions/amendments:

- Strike item 4 on the report (pertaining to question #23 on the application) requiring date started at each work location and amend new language to require "approximate date" started at each work location.
- Add language to item 8 on the report (pertaining to question #29 on the application) to require disclosure of any convictions other than those derived from traffic violations. Jill England to determine legally appropriate language.
- Correct typographical error on item 9 on report so that it reads "#23" (and pertains to question #23 on the application).

Motion APPROVED 13-0.

8. IT Update
No update was provided. IT liaison Paul Schwinghamer was not present.

9. Outreach Update
Outreach Committee Chairperson Roberta Rolnick was not present but submitted a written report detailing recent media training, new website details, and a social bookmarking page tracking online CAMTC-related stories and issues.

10. PPLG Update
No update.

11. Professional Standards Division
Ms. May proposed the creation of a Division of paid staff to replace the current volunteer committee as a way to take the burden off of volunteers and to establish long-term relationships with cities. Mr. Netanel added that the current system of having volunteers review these cases is not sustainable and was never intended to be the long-term protocol. Ms. May proposed creating paid roles for a manager of Professional Standards (suggested title "Division Director"), two Application Review Staff and an additional clerical person to supplement the work currently being done by one dedicated clerical staff. Proposal also includes future hiring of regional field investigators (generally retired law enforcement with experience in massage issues). A number of good candidates for these positions have already been identified.

Motion: May/Schroeder: Approve the concept, apart from budgetary or personnel details, of hiring paid staff to manage the Division and to review applications that are presented to this Division.

Motion APPROVED 13-0

Ms. May proposed revisions to the procedures for denial of certification of discipline/revocation (approved in October, 2009) that incorporate references to employees of CAMTC instead of references to a committee.

There was some discussion to reconcile the job description as provided in Ms. May's first document (related to creating paid staff positions) with roles and procedures spelled out in the procedures revision. Ms. England agreed to insure that the language and responsibilities are consistent in both documents.

Motion: May/Benson: Amend the current procedure for denial of certification or discipline/revocation as submitted except for language in section 5c, which will now provide that the "hearing shall be held, or the written statement considered, by the Division Director *or his or her designee* and at least one other PSD employee,."

Motion APPROVED 13-0.

12: Closed session pursuant to Government Code Section 11126(a) regarding the appointment, employment, evaluation of performance, or dismissal of an employee
Chairperson May called the meeting into closed session at 1:55pm. Rick McElroy excused himself from the meeting and was not present in the closed session.

Open session resumed at 2:40pm. Rick McElroy returned to the meeting.

13. Announcement of action taken in item 12 closed session
The Board reported that action was taken to offer the position of Division Director, Professional Standards Division to Rick McElroy and to offer the positions of Administrative Review Staff to Tim Chambers and Kellie Rodriguez. Formal offer letters will be sent. Mr. McElroy must resign his position on the board before he accepts the employment position. It was noted for the record that Mike Schroeder and Dixie Wall voted no, and Ben Drillings abstained, on the decision to hire Kellie Rodriguez.

14. Management
Mr. Netanel conveyed to AMG owner Bob Achermann that CAMTC has received complaints from applicants on response time and lack of response. Mr. Achermann indicated that the CAMTC account needs more employees to handle the workload and Connie Payne noted that the response to the denial letters has been the biggest detractor from processing new applications.

AMG asked for an increase in fees retroactive to May, 2010 and continuing through December, 2010. This was considered during the Budget discussion below – item #19.

15. Budget Issues
(Note: Board member Rick McElroy did not participate in or vote on any budget item during the discussion since the funding of the new paid role offered to him would be discussed.)

Ms. Payne presented the revenue and expense items in the Proposed Adjusted Budget for 2010 and highlighted the proposed changes.

Motion: Schroeder/Armour: Defer consideration of application fee adjustment until next Board meeting. This item should be on the agenda so stakeholders can provide input.

Motion APPROVED 11-0, with Beverly May and Rick McElroy abstaining.

Motion: Schroeder/Dixon: Defer consideration of any budget adjustments except for AMG, Professional Standards Division, and legal until next meeting.

Motion APPROVED 11-0, with Beverly May and Rick McElroy abstaining.

Motion: Schroeder/Dixon: Approve budget adjustments as it related to legal fee increases for the Professional Standards Division.

Motion APPROVED 12-0, with Rick McElroy abstaining.

Motion: Schroeder/Grant: Approve budget adjustments to general legal line item.

Motion APPROVED 12-0, with Rick McElroy abstaining.

Motion: Schroeder/May: Approve AMG proposal for additional rent and moving costs, totaling $27800 for 2010.

Motion APPROVED 12-0, with Rick McElroy abstaining.

Motion: May/Grant: Approve proposal for $12000 monthly increase in AMG management fees for months of June, July and August, 2010.

Motion APPROVED 12-0, with Rick McElroy abstaining.

16. Title Use
(Note: Bob Benson recused himself from the discussion. 3 other Board members were not present at this point of the meeting.)
Ms. May reminded the Board that this issue had been tabled at the last meeting for discussion at this meeting. The previous motion was to reserve the use of the word "certified" with an exception for titles with qualifiers.

There was extended discussion about whether the word "certified" should and could only be used in conjunction with CAMTC.

Motion: May/Dixon: Reserve the use of the word certified (in connection with the massage therapy profession) to those certified by CAMTC or certified by an organization accredited by the National Commission for Certifying Agencies (NCCA).

Motion APPROVED 8-1, Joe Bob Smith voted NO.

17. Board Protocols
No presentation or discussion.

18. Public Comment
Two members of the public addressed the Board with concerns and questions.

19. Next Meeting
The next meeting will be held on July 13, 2010 at 10am. Location TBD.

20. Adjourn
Chairperson May adjourned the meeting at 4:52pm.

Minutes Approved: July 13, 2010

Ben Drillings, Secretary 8/18/10